

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7548

Petition of Ampersand Gilman Biomass, LLC, for )  
a certificate of public good, pursuant to 30 V.S.A. )  
Section 248, for authority to refurbish, expand and )  
operate the existing biomass-fueled steam turbine )  
facility located in the former Dirigo Paper Mill )  
building in the Town of Lunenburg, Vermont )

Order entered: 9/11/2009

**PREHEARING CONFERENCE MEMORANDUM**

On July 14, 2009, Ampersand Gilman Biomass, LLC ("AGB"), filed a petition (the "Petition") with the Vermont Public Service Board ("Board") pursuant to 30 V.S.A. § 248 to refurbish, expand, and operate the biomass-fueled generation unit located at the former Dirigo Paper Mill in Lunenburg, Vermont (the "Project"). The Project involves increasing the biomass generation capacity of the existing facility from 4 MW to 12 MW with the installation of a used 12 MW condensing turbine, and upgrading the existing infrastructure of the facility.

A prehearing conference in this Docket was held on September 1, 2009. The following persons entered appearances: Harriet King, Esq., on behalf of AGB; Geoffrey Commons, Esq., on behalf of the Vermont Department of Public Service ("DPS"); and Judith Dillon, Esq., on behalf of the Agency of Natural Resources ("ANR").

At the prehearing conference, Board staff and the parties discussed whether the level of detail contained in the Petition allowed for sufficient review and provided sufficient information to make positive findings on the criteria of Section 248(b). Counsel for AGB requested that the Hearing Officer list the areas where more information was needed in the Prehearing Conference Memorandum. I note that the following list represents only the issues identified by Board staff.

- (1) The proposed project's impact on system stability and reliability.
- (2) A detailed description of the new equipment to be installed and the interconnection with the 34.5 kV line owned by Central Vermont Public Service Corporation.
- (3) Whether a new transformer will be needed for the proposed project, and if so, the technical details concerning size, oil capacity, takeoff type, spill containment, and IEEE design compliance will be required.
- (4) Information regarding the project's impact on air and water quality.
- (5) Plans for spill containment.
- (6) Specific information on the number of truck trips per day/week to the facility, and the resultant impact on roads and highways.
- (7) Impacts on archeological resources in the vicinity that may be affected by the project.
- (8) Dimensions and layout of the new building.

At the prehearing conference, Board staff discussed the issue of reliance on outstanding permits or studies (such as a System Impact Study). Although permits may be used to create a rebuttable presumption that the proposed project will not have an undue adverse impact on the criteria of Section 248(b),<sup>1</sup> the Board cannot issue a certificate of public good until it makes positive findings on these criteria. AGB may elect to rely on the permits or may file sufficient information by a qualified expert that the Project will not have an undue adverse impact on the criteria of Section 248(b).

Counsel for AGB stated that approximately 30 days should be sufficient time to provide the required information in a supplemental filing. Consequently, AGB shall provide the above information by October 8, 2009, or notify the Board and parties of the expected date when the information can be submitted. At that point in time, I will set a schedule for the remainder of this proceeding.

---

1. See *Joint Petition of Vermont Electric Power Company, Inc. and Citizens Communications Company*, Docket No. 6792, Order of 7/17/03.

**So ORDERED.**

Dated at Montpelier, Vermont, this 11<sup>th</sup> day of September, 2009.

s/Jay E. Dudley  
Jay E. Dudley  
Hearing Officer

OFFICE OF THE CLERK

FILED: September 11, 2009

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*